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October 4, 2021

The Honorable Katherine P. Failla
United States District Judge
Southern District of New York
Thurgood Marshall Courthouse
40 Foley Square
New York, New York 10007

MEMO ENDORSED

Re: United States v. William Valdez 20 Cr. 226 (KPF)

Dear Judge Failla:

I represent William Valdez, the above referenced defendant. The Court sentenced Mr. Valdez to a 45-month term of incarceration on May 27, 2021. Mr. Valdez was permitted to remain at liberty after his sentencing on the terms of the bail conditions existing prior to his sentencing, which included house arrest with electronic monitoring.

Mr. Valdez is scheduled to surrender to begin serving his sentence on November 26, 2021. Mr. Valdez respectfully moves for a modification of the conditions of his release to allow for a modest curfew to permit him to attend to personal needs and to visit family. He has an elderly and ailing Grandmother who resides within a few blocks of his residence.

It is also respectfully submitted that being permitted to socially engage for a period of time outside the residence for a limited period would be beneficial for Mr. Valdez' mental health. Thus, it is respectfully requested that the Court amend the bail conditions to allow for a curfew for Mr. Valdez, at hours set by the court or the pre-trial officer. Mr. Valdez has complied with the strict terms of his bail conditions for over a year and he has appeared in court when requested.

I have conferred with Mr. Valdez' pre-trial officer who does not consent to this request, as the requested bail modification is against office policy for defendants under house arrest. The Government avers that they defer to the Pretrial officer's lead on this question.

Respectfully submitted,

 /s/
Donald duBoulay, Esq.
Attorney for William Valdez

cc: Andrew Chan, AUSA

Application GRANTED.

After speaking with Mr. Valdez's supervising Pretrial Services Officer, the Court hereby modifies Mr. Valdez's bail conditions to permit Mr. Valdez to leave his residence once a week for a four-hour period. Mr. Valdez shall leave his residence on the same day each week, and shall select such day in consultation with his assigned Pretrial Services Officer.

The Clerk of Court is directed to terminate the motions at docket entries 52 and 59.

Dated: October 5, 2021
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE